

**In the Circuit Court of the State of Oregon**

For the County of Multnomah

BREANNA JUNE COHEN, an individual,	Case No. 20CV19971
Plaintiffs,	SUMMONS
v.	
CLAYTON EARL STUBBLEFIELD or the unknown motor vehicle driver identified and described herein; and GREENWOOD MOTOR LINES INC, doing business as R+L CARRIERS, a foreign business corporation.	
Defendants	

TO: Clayton Earl Stubblefield  
12125 SE Sequoia Avenue  
Portland, OR 97222

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff(s) will apply to the court for the relief demanded in the complaint.

**NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!**

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service upon the plaintiff.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.



Signature of Attorney / Author for Plaintiff  
Emily Crocker Stebbins OSB 150889  
235 Front Street SE, Suite 200  
Salem, OR 973021 503-363-3443

\_\_\_\_\_  
Trial Attorney if other than above

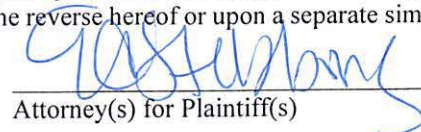
\_\_\_\_\_  
Bar No.

STATE OF OREGON: )  
County of Marion ) ss.

I, the undersigned attorney of record for the plaintiff, certify that the foregoing is an exact and complete copy of the original summons in the above entitled action.

\_\_\_\_\_  
ATTORNEY OF RECORD FOR PLAINTIFF(S)

TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS: You are hereby directed to serve a true copy of this summons, together with a true copy of the complaint mentioned therein, upon the individual(s) or other legal entity(ies) to whom or which this summons is directed, and to make your proof of service on the reverse hereof or upon a separate similar document which you shall attach hereto.



\_\_\_\_\_  
Attorney(s) for Plaintiff(s)

**In the Circuit Court of the State of Oregon**

For the County of Multnomah

BREANNA JUNE COHEN, an individual,  Plaintiffs,  v.  CLAYTON EARL STUBBLEFIELD or the unknown motor vehicle driver identified and described herein; and GREENWOOD MOTOR LINES INC, doing business as R+L CARRIERS, a foreign business corporation.  Defendants	Case No. 20CV19971  SUMMONS
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TO: Greenwood Motor Lines Inc, dba R+L Carriers  
c/o CT CORPORATION SERVICE (Registered Agent)  
780 Commercial Street SE, Ste 100  
Salem, OR 97301

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff(s) will apply to the court for the relief demanded in the complaint.

**NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!**

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service upon the plaintiff.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.



Signature of Attorney / Author for Plaintiff  
Emily Crocker Stebbins OSB 150889  
235 Front Street SE, Suite 200  
Salem, OR 973021 503-363-3443

\_\_\_\_\_  
Trial Attorney if other than above

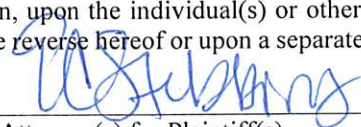
\_\_\_\_\_  
Bar No.

STATE OF OREGON: \_\_\_\_\_ )  
County of Marion \_\_\_\_\_ ) ss.

I, the undersigned attorney of record for the plaintiff, certify that the foregoing is an exact and complete copy of the original summons in the above entitled action.

\_\_\_\_\_  
ATTORNEY OF RECORD FOR PLAINTIFF(S)

TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS: You are hereby directed to serve a true copy of this summons, together with a true copy of the complaint mentioned therein, upon the individual(s) or other legal entity(ies) to whom or which this summons is directed, and to make your proof of service on the reverse hereof or upon a separate similar document which you shall attach hereto.



\_\_\_\_\_  
EXHIBIT Attorney(s) for Plaintiff(s)  
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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
COUNTY OF MULTNOMAH

BREANNA JUNE COHEN	Case No.
Plaintiff,	COMPLAINT FOR PERSONAL
v.	INJURIES AND REQUEST FOR JURY
CLAYTON EARL STUBBLEFIELD or the	TRIAL
unknown motor vehicle driver identified and	Claim is Over \$50,000 and Claim Is Not
described herein; and GREENWOOD	Subject to Mandatory Arbitration
MOTOR LINES INC, doing business as	<b>TOTAL PRAYER: \$270,000</b>
R+L CARRIERS, a foreign business	Filing Fee \$594
corporation.	pursuant to ORS 21.160(1)(c)
Defendant.	

FOR PLAINTIFF'S CLAIM FOR RELIEF HEREIN, Plaintiff alleges as follows:

**GENERAL ALLEGATIONS**

1.

The amount presently in controversy does exceed the sum of \$50,000; and, therefore, the present action is not subject to mandatory arbitration.

2.

At all times material herein, Southeast Division Street was and is a duly dedicated public highway or thoroughfare located in the county of Multnomah, State of Oregon.

3.

On or about January 23, 2019, Plaintiff was traveling eastbound on Division Street in Gresham, Oregon. She was traveling with the right of way when Defendant Clayton Earl Stubblefield, acting in the course and scope of his employment with Greenwood Motor Lines Inc., dba R+L Carriers, failed to yield the right of way. Defendant illegally proceeded through a stop sign directly in front of Plaintiff and began accelerating into the intersection. Plaintiff took evasive action to avoid collision but said evasive action caused her vehicle to violently crash into a grounded wire from a utility pole. The collision between the two vehicles was caused by the negligence of Defendant Stubblefield as is hereinafter set forth.

**PLAINTIFF'S CLAIMS AGAINST CLAYTON EARL STUBBLEFIELD**

4.

At the time and place of the collision, Defendant Stubblefield was negligent in one or more of the following particulars:

- (a) In failing to maintain a proper lookout for other users of the roadway;
- (b) In failing to maintain control of the vehicle then operated by Defendant Stubblefield as would a reasonably prudent driver under the same or similar circumstances;
- (c) In operating his motor vehicle at a speed which was greater than reasonable under the circumstances;
- (d) In failing to stop, swerve, or otherwise avoid colliding with the vehicle then occupied by Plaintiff;
- (e) In operating his vehicle in a manner that endangers or would be likely to endanger a person or property;

- (f) In failing to yield the right of way to Plaintiff in violation of ORS 811.280;
- (g) In disobeying a posted stop sign in violation of ORS 811.265; and
- (h) In proceeding through an intersection when it was unsafe to do so.

5.

As a direct and proximate result of the negligence of Defendant Stubblefield as aforementioned, Plaintiff suffered physical pain, anguish and suffering, together with a permanent tearing, twisting and wrenching of the muscles, tendons, ligaments, nerves, and other supportive soft tissues of her neck and back causing radicular pain and numbness, and, in particular, cervical, thoracic, and lumbar sprain/strain injuries. In addition, Plaintiff suffered visible bruising on her arm, visible bruising on her shin, lumbar strain, lumbar sprain, thoracic sprain, thoracic strain, cervical strain, cervical sprain, muscle spasm, cervical hypomobility, thoracic hypomobility, severe pain, fatigue, and muscle weakness.

6.

Plaintiff's injuries are permanent and degenerative in nature and have increased her susceptibility to future injury, degenerative arthritis, and degenerative disc disease. Furthermore, Plaintiff has been caused an impairment to the enjoyment of her lifestyle; and this has caused Plaintiff non-economic damages in an amount which a jury determines to be fair, but not to exceed the sum of \$250,000, said amount to be made more definite and certain at time of trial.

7.

As a further direct and proximate result of this collision, Plaintiff was required to and did employ the services of doctors, nurses, and hospital staff for medical examinations, treatment and care of the previously described injuries. Furthermore, Plaintiff will require future medical



attention, care, treatment and expense. Plaintiff has thereby incurred economic damage in the form of unreimbursed past medical expenses and future medical expenses in an amount which a jury determines to be fair, but not to exceed the sum of \$20,000, said amount to be made more definite and certain at time of trial.

**PLAINTIFF'S CLAIMS AGAINST GREENWOOD MOTOR LINES INC.**

8.

Plaintiff hereby incorporates paragraphs 1-7 as though fully set forth herein.

9.

At all times relevant herein, Defendant Clayton Earl Stubblefield was acting within the course and scope of his employment with Defendant Greenwood Motor Lines, Inc. and therefore Defendant Greenwood Motor Lines, Inc. is vicariously liable for the damages caused by Defendant Stubblefield.

10.

Defendant Greenwood Motor Lines, Inc., was additionally negligent in one or more of the following particulars:

- (a) In entrusting Defendant Stubblefield with a commercial vehicle when they knew or should of known that it was unsafe for him to operate said vehicle;
- (b) In failing to train, supervise, or otherwise control Defendant Stubblefield; and
- (c) In hiring Clayton Earl Stubblefield as a truck driver when they knew or should have known that his background with prior moving violations and prior criminal acts made him an unsafe driver and posed a risk to other drivers including Plaintiff.

11.

As a direct and proximate result of the negligence of Defendant Stubblefield as aforementioned, Plaintiff suffered physical pain, anguish and suffering, together with a permanent tearing, twisting and wrenching of the muscles, tendons, ligaments, nerves, and other supportive soft tissues of her neck and back causing radicular pain and numbness, and, in particular, cervical, thoracic, and lumbar sprain/strain injuries. In addition, Plaintiff suffered visible bruising on her arm, visible bruising on her shin, lumbar strain, lumbar sprain, thoracic sprain, thoracic strain, cervical strain, cervical sprain, muscle spasm, cervical hypomobility, thoracic hypomobility, severe pain, fatigue, and muscle weakness.

12.

Plaintiff's injuries are permanent and degenerative in nature and have increased her susceptibility to future injury, degenerative arthritis, and degenerative disc disease. Furthermore, Plaintiff has been caused an impairment to the enjoyment of her lifestyle; and this has caused Plaintiff non-economic damages in an amount which a jury determines to be fair, but not to exceed the sum of \$250,000, said amount to be made more definite and certain at time of trial.

13.

Plaintiff hereby requests a jury trial [following court-annexed arbitration].

WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

- (a) For non-economic damages in an amount to be determined at time of trial, but not to exceed the sum of \$250,000
- (b) For economic damages in the form of past and future medical expenses in an

amount to be determined at time of trial, but not to exceed the sum of \$20,000  
and

(c) For Plaintiff's costs and disbursements incurred herein.

DATED this 8th day of June, 2020.

THE GATTI LAW FIRM

By: s/ Emily Crocker Stebbins.  
Emily Crocker Stebbins, OSB No. 150889  
235 Front Street SE, Suite 200  
Salem, Oregon 97301  
Phone: 503-363-3443 or 800-289-3443  
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Assistant E-mail: [cstrom@gattilaw.com](mailto:cstrom@gattilaw.com)

Of Attorneys for Plaintiff